

# **Metropolitan Water Reclamation District of Greater Chicago**

100 East Erie Street  
Chicago, IL 60611



## **Regular Board Meeting Minutes**

**Thursday, May 5, 2011**

**10:00 AM**

**Board Room**

### **Board of Commissioners**

*Commissioner Michael A. Alvarez, Commissioner Frank Avila, Commissioner Patricia Horton, Vice- President Barbara J. McGowan, Commissioner Kathleen Therese Meany, Chairman of Finance Cynthia M. Santos, Commissioner Debra Shore, Commissioner Mariyana T. Spyropoulos, President Terrence J. O'Brien*

#### **THE FOLLOWING PROCEDURES WILL GOVERN THE MEETING PROCESS:**

- 1. Board Members who vote "Nay, Present, or Abstain" or have a question on any item may request the item be removed from the Consent Agenda.**
- 2. Citizens in the audience who address the Board on any item may request the item be removed from the Consent Agenda.**
- 3. Items removed from the Consent Agenda are considered separately.**
- 4. One roll call vote is taken to cover all Consent Agenda Items.**

## Call Meeting to Order

President Terrence J. O'Brien presiding, called the meeting to order at 10:00 a.m.

## Roll Call

**Present:** 8 - Frank Avila; Patricia Horton; Barbara J. McGowan; Kathleen Therese Meany; Cynthia M. Santos; Debra Shore; Mariyana T. Spyropoulos; and Terrence J. O'Brien

**Absent:** 1 - Michael A. Alvarez

## Approval of Previous Board Meeting Minutes

A motion was made by Debra Shore, seconded by Patricia Horton, that the minutes from the last meeting be approved without having to read them into the record. The motion carried by acclamation. Chorus of ayes - No nays

## Recess and Reconvene as Committee of the Whole

A motion was made by Debra Shore, seconded by Patricia Horton, to recess and reconvene as a committee of the whole. The motion carried by acclamation. Chorus of Ayes - No Nays

## Recess and Reconvene as Board of Commissioners

At 11:15 a.m. President O'Brien reconvened the regular board meeting to order

## Finance Committee

### Report

- 1      [11-0586](#)      Report on investments purchased during February 2011

Attachments:      [Inv Purch 2011-02 att](#)

Published and Filed

- 2      [11-0588](#)      Report on investments purchased during March 2011

Attachments:      [Inv Purch 2011-03 att](#)

Published and Filed

- 3      [11-0589](#)      Report on the investment interest income during March 2011

**Attachments:**      [Inv Int Inc 2011-03 att.pdf](#)

**Published and Filed**

- 4      [11-0590](#)      Report on investment inventory statistics at March 31, 2011

**Attachments:**      [Inv Stat 2011 Q1 Inv.pdf](#)  
                                 [Inv Stat 2011 Q1 Fin Mkt.pdf](#)

**Published and Filed**

- 5      [11-0611](#)      Report on the investment interest income during February 2011

**Attachments:**      [Inv Int Inc 2011-02 att.pdf](#)

**Published and Filed**

#### **Authorization**

- 6      [11-0600](#)      Authority to add project 11-831-31 Build an Open Air Cover for Drying Cell No. 5 at CALSMA to the Engineering Department Capital Improvement Program and the Capital Improvements Bond Fund, estimated cost of the project is \$1,500,000.00

**Approved**

#### **Procurement Committee**

##### **Report**

- 7      [11-0555](#)      Report of bid opening of Tuesday, April 26, 2011

**Published and Filed**

- 8      [11-0580](#)      Report of bid opening of Tuesday, April 19, 2011

**Published and Filed**

- 9      [11-0595](#)      Report on rejection of bids for Contract 11-712-11, Chiller Maintenance and Repair at the Egan Water Reclamation Plant, estimated cost \$164,000.00

**Published and Filed**

##### **Authorization**

- 10      [11-0612](#)      Authorization to amend the Board Order of February 17, 2011 for Authority to advertise Contract 11-699-11, Environmental Cleanup and Emergency Response at Various District Facilities, Account 101-66000-612520, Requisition 1318236, Agenda Item No. 6, File Number 11-0217

**Attachments:**      [11-699-11 BL Authority To Advertise.pdf](#)

**Approved**

- 11      [11-0617](#)      Declaration of an Emergency for repair to the roof of the Main Office Building and authority to ratify the execution of Contract 11-400-01, Service to Mitigate and Repair Damage Caused by a Fire at the Main Office Building, to Trinity Roofing Service, Inc., in an amount not to exceed \$150,000.00, in accordance with Section 11.5 of the Purchasing Act to protect public health and safety, Account 901-30000-667220, PO 3067806.

**Approved**

**Authority to Advertise**

- 12      [11-0565](#)      Authority to advertise Contract 10-051-3D, North Shore Channel Restoration Near Main Street, in the North Service Area, estimated cost \$3,000,000.00, Account 401-50000-645720, Requisition 1322652

**Attachments:**      [REQ 1322652.pdf](#)

**Approved**

- 13      [11-0569](#)      Authority to advertise Contract 11-023-11 Furnish and Deliver Lab Chemicals to Various Locations for a One (1) Year Period, estimated cost \$60,000.00, Account 101-20000-623570

**Approved**

- 14      [11-0577](#)      Authority to advertise Contract 11-616-11 Preventive Maintenance Services for Switchgear at Various Service Areas, estimated cost \$245,600.00, Accounts 101-66000/67000/68000/69000-612600/612620/612650, Requisitions 1319521, 1320120, 1320118, 1320659

**Approved**

- 15      [11-0599](#)      Authority to advertise Contract 11-620-11 Maintenance and Repair Services for Radio Communication Equipment in Various Service Areas, estimated cost \$134,000.00, Account 101-69000-612840, Requisition 1321322

**Approved**

- 16      [11-0601](#)      Authority to advertise Contract 11-040-11, Furnish and Deliver Computer Supplies to Various Locations, for a One (1) Year Period, estimated cost \$65,500.00, Account 101-20000-623810

**Approved**

- 17      [11-0609](#)      Authority to advertise Contract 11-653-11 Underground Infrastructure Cleaning at Various Service Areas, estimated cost \$953,000.00, Accounts 101/501-50000/66000/67000/68000/69000-612600/612650, Requisitions 1318923, 1320692, 1320086, 1311429

**Approved**

**Issue Purchase Order**

- 18      [11-0567](#)      Issue purchase order to Oracle America Inc. for Oracle Database Management System (DBMS) Software Licensing and Support, in an amount not to exceed \$193,878.57, Account 101-27000-612820, Requisition 1322961

**Approved**

- 19      [11-0592](#)      Issue purchase order to Thomas Pump Company, to Furnish and Deliver Parts for Patterson Pumps at the Stickney Water Reclamation Plant, in an amount not to exceed \$40,000.00, Account 101-69000-623270, Requisition 1313275

**Approved**

- 20      [11-0594](#)      Issue purchase order for Contract 11-693-11, Use of a Sanitary Landfill Site, Group A, to Waste Management of Illinois, Inc., in an amount not to exceed \$165,000.00, and Group B, to Heartland Recycling LLC, in an amount not to exceed \$100,000.00, Account 101-66000-612520, Requisition 1312052 and 1302025

**Approved**

- 21      [11-0597](#)      Issue purchase order for Contract 11-101-12, Furnish and Deliver Work Uniforms for the Environmental Specialists, Patrol Boat Operators and Pollution Control Technicians, to VCG Ltd., in an amount not to exceed \$62,127.75, Account 101-16000-623700, Requisition 1313274

**Approved**

**Award Contract**

- 22      [11-0553](#)      Authority to award Contract 11-985-11, Railroad Car Repair, Maintenance, Rebuilding and Painting at the Stickney Water Reclamation Plant, Group A, to JK-CO, LLC, in an amount not to exceed \$110,000.00, and Group B, to Bill's Painting Co., in an amount not to exceed \$47,040.00, Account 101-69000-612670, Requisition 1315194

**Approved**

- 23      [11-0554](#)      Authority to award Contract 11-697-11, Demolition of Lake River Terminal and Other Derelict Buildings on District Property in Cook County, IL, Group A, to Brandenburg Industrial Service Company, in an amount not to exceed \$1,048,308.00, Account 901-30000-667220, Requisition 1312926

**Attachments:**      [APP D 11-697-11 A.pdf](#)

**Approved**

- 24      [11-0613](#)      Authority to award Contract 11-697-11, Demolition of Lake River Terminal and Other Derelict Buildings on District Property in Cook County, IL, Group A, to Brandenburg Industrial Service Company, in an amount not to exceed \$1,048,308.00, Account 901-30000-667220, Requisition 1312926

**Attachments:**      [APP D 11-697-11 A.pdf](#)

**Deleted by the Acting Executive Director**

#### **Increase Purchase Order/Change Order**

- 25      [11-0552](#)      Authority to increase purchase order and amend agreement with Deutsch, Levy & Engel, LLC, for legal services in representing the District with respect to environmental remediation of vacant property located north of the Main Channel and west of Pulaski Road in Chicago, Illinois; Main Channel Atlas Index Parcels 40.02, 40.04, and 40.07 and vacant property located north of the Cal-Sag Channel on the southwest corner of Ann and James Streets in Blue Island, Illinois; Cal Sag Channel Atlas Parcel 14.05, in an amount of \$35,000.00 from an amount of \$55,500.00 to an amount not to exceed \$90,500.00, Account 101-30000-601170, Purchase Order 3011853

**Attachments:**      [05-05-11\\_Deutsch Levy Engel PO 3011853.pdf](#)

**Approved**

- 26      [11-0560](#)      Authority to decrease Contract 02-110-2E Electrical Distribution System and Conduit & Cable Replacement, Stickney Service Area, to Divane Brothers Electric Company, in an amount of \$5,158.00, from an amount of \$8,354,784.00, to an amount not to exceed \$8,349,626.00, Accounts 201-50000-645700, 645750 and 645780, Purchase Order 5000890

**Attachments:**      [CO 02-110-2E.pdf](#)

**Approved**

- 27      [11-0561](#)      Authority to increase Contract 07-168-3P Scum Concentration, Centrifuge Building, Preliminary & Imhoff Tanks, Elevator Improvements, Diffuser Plates and Trailer Replacement, Stickney Service Area, LASMA, to IHC Construction Companies, LLC, in an amount of \$4,350.37, from an amount of \$23,667,183.12, to an amount not to exceed \$23,671,533.49, Accounts 401-50000-645750 and 645780, Purchase Order 5001198

**Attachments:**      [CO 07-168-3P.pdf](#)

**Approved**

- 28      [11-0562](#)      Authority to increase Contract 04-125-3S (Re-Bid), Upper Des Plaines Pumping Station Rehabilitation and TARP Connection, Stickney Service Area, to F.H. Paschen/S.N. Nielsen and Associates LLC, in an amount of \$1,315,382.00, from an amount of \$8,997,358.90, to an amount not to exceed \$10,312,740.90, Accounts 401-50000-645600 and 645700, Purchase Order 5000812

**Attachments:**      [CO 04-125-3S.pdf](#)

**Approved**

- 29      [11-0563](#)      Authority to decrease purchase order and amend the agreement with SEECO Consultants, Inc., for testing and inspecting concrete and other construction materials in an amount of \$43,209.70, from an amount of \$890,000.00, to an amount not to exceed \$846,790.30, Accounts 101-50000-612240, 201-50000-612240 and 401-50000-612240, Purchase Order 3055089

**Attachments:**      [CO SEECO.pdf](#)

**Approved**

- 30      [11-0564](#)      Authority to increase Contract 96-251-2P Sludge Thickening Facilities, Calumet Water Reclamation Plant to F.H. Paschen/S.N. Nielsen/IHC Construction Joint Venture, in an amount of \$30,124.75, from an amount of \$8,418,897.95, to an amount not to exceed \$8,449,022.70, Accounts 401-50000-645650 and 645750, Purchase Order 5001108

**Attachments:**      [CO 96-251-2P.pdf](#)

**Approved**

- 31      [11-0566](#)      Authority to increase Contract 07-220-3P Primary Settling Tanks and Grit Removal Facilities, Calumet Water Reclamation Plant, to F.H. Paschen/S.N. Nielsen/IHC Construction Joint Venture, in an amount of \$46,644.28, from an amount of \$232,017,493.81, to an amount not to exceed \$232,064,138.09, Account 401-50000-645650, Purchase Order 5000954

**Attachments:**      [CO 07-220-3P.pdf](#)

**Approved**

- 32      [11-0591](#)      Authority to decrease purchase order and amend agreement with Gardner Denver Nash LLC, to inspect and recommend repairs for Nash Gas Booster Compressors at the Stickney Water Reclamation Plant and Racine Avenue Pumping Station, and to Furnish and Deliver Replacement Parts for Nash Compressors, in an amount of \$30,000.00 from an amount \$113,000.00 to an amount not to exceed \$83,000.00, Account 101-67000-623270, Purchase Order 3062163

Attachments:      [Gardner 5-5-11 BM Attach.pdf](#)

**Approved**

- 33      [11-0606](#)      Authority to increase Contract 09-690-11, Services for Beneficial Reuse of Biosolids from the Egan Water Reclamation Plant and Lawndale Avenue Solids Management Area, Group A, Stewart Spreading, Inc., in an amount of \$300,000.00, from an amount of \$1,196,878.49 to an amount not to exceed \$1,496,878.49, Account 101-66000-612520, Purchase Order 5000994

Attachments:      [09-690-11A Spreadsheet.pdf](#)

**Approved**

- 34      [11-0618](#)      Authority to decrease Contract 09-603-12, Furnish and Deliver Bulk Roadway Rock Salt to Various Service Areas to Morton International, Inc., Morton Salt Division, in an amount of \$66,336.67, from an amount of \$184,986.88 to an amount not to exceed \$118,650.21, Account 101-69000-623130, Purchase Order 3060582

Attachments:      [09-603-12 Attachment 5-5-11 BM.pdf](#)

**Approved**

## **Budget & Employment Committee**

### **Authorization**

- 35      [11-0550](#)      Authority to transfer 2011 departmental appropriations in the amount of \$800,000.00 in the Capital Improvements Bond Fund

Attachments:      [05.05.11 Board Transfer BF5.pdf](#)

**Approved**

## **Judiciary Committee**

### **Authorization**



- 36      [11-0556](#)      Authority to pay the award in the Workers' Compensation claim of Ruth Lindquist vs. MWRDGC, Case No. 06WC00113, Illinois Workers' Compensation Commission, in the sum of \$92,596.02, Account 901-30000-601090 (*As Revised*)
- Approved**
- 37      [11-0578](#)      Authority to settle the lien of Andrew Freeman v. Margery Glen and Liberty Mutual Fire Insurance Company in the sum of \$31,666.66, Account 901-30000-601090
- Approved**
- 38      [11-0620](#)      Authority to pay preliminary just compensation for the "quick-take" of fee simple property comprising 2 acres for the "Heritage Park Flood Control Facility, Contract 09-365-5F" from Abraham Eo, and Mi Hee Eo, located at 108 South Wolf Road in Wheeling, Illinois, in the amount of \$750,000.00 in the eminent domain lawsuit entitled The Metropolitan Water Reclamation District v. Abraham Eo, Mi Hee Eo, et al., Case No. 10 L 51800 in the Circuit Court of Cook County and authority to make intermittent reimbursements to Abraham Eo and Mi Hee Eo for relocation expenses in an amount not to exceed \$60,000.00, Account 501-50000-656010
- Attachments:**      [05-05-11\\_Heritage Park 09-365-5F.pdf](#)
- Approved**

## **Public Health & Welfare Committee**

### **Authorization**

- 39      [11-0610](#)      Report on the Study of Separation of the Watersheds Sponsored by the Great Lakes Commission (GLC) and the Great Lakes St. Lawrence Cities Initiative (GLSLCI)
- Attachments:**      [Watershed Attachment 5 5 11.pdf](#)
- Approved**

## **Real Estate Development Committee**

### **Authorization**

- 40      [11-0551](#)      Authority to commence procedures to sell an approximately 0.70 acre isolated parcel of District real estate separated by and located east of and across the Illinois and Michigan Canal right-of-way and the Illinois Central railroad tracks, located in Summit, Illinois, and known as a portion of Main Channel Parcel 34.02 upon competitive bid

**Attachments:**      [05-05-11\\_Owens Corning.pdf](#)

**Approved**

- 41      [11-0619](#)      Ratification of the Acting Executive Director's April 27, 2011, execution of a 1-year permit to U. S. Fish and Wildlife Service to use District property (c/k/a Main Channel Parcel 15.05) to launch and retrieve boats used to collect and analyze aquatic species in the Sanitary & Ship Canal in Romeoville, Illinois. Consideration shall be a nominal fee of \$10.00

**Attachments:**      [05-05-11\\_U S Fish Wildlife Service.pdf](#)

**Approved**

- 42      [11-0621](#)      Authority to make intermittent reimbursements to Mr. Pawel Sawicki for relocation expenses in connection with the District's purchase of real estate commonly known as 100 South Wolf Road, Wheeling, Illinois, from Pawel Sawicki the owner of said real estate, for the construction of the Heritage Park Flood Control Facility in an amount not to exceed \$40,000.00, Account 501-50000-656010

**Attachments:**      [05-05-11\\_Heritage Park-Sawicki.pdf](#)

**Approved**

## **Stormwater Management Committee**

### **Authorization**

- 43      [11-0559](#)      Request for approval to initiate preliminary engineering for the Flood Control Project MS-10 of the North Branch of the Chicago River Detailed Watershed Plan

**Deleted by the Acting Executive Director**

- 44      [11-0587](#)      Request for approval of the scope of work for the economic analysis component of the Economic Impact Study of the draft Watershed Management Ordinance

**Attachments:**      [Economic Impact Study.pdf](#)

**Approved**

**Approval of the Consent Agenda with the exception of Items: 24, 43 and 45**

**A motion was made by Debra Shore, seconded by Patricia Horton, to Approve the Consent Agenda. The motion carried by the following roll call vote:**

**Aye:** 8 - Frank Avila, Patricia Horton, Barbara J. McGowan, Kathleen Therese Meany, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

**Absent:** 1 - Michael A. Alvarez

**Miscellaneous and New Business****Motion**

45

[11-0614](#)

MOTION to develop an environmental policy on the use of chemical pesticides on District-owned land

**A motion was made by Frank Avila, seconded by Patricia Horton, that this Motion be Adopted. The motion carried by the following roll call vote:**

**Aye:** 8 - Frank Avila, Patricia Horton, Barbara J. McGowan, Kathleen Therese Meany, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

**Absent:** 1 - Michael A. Alvarez

**Meeting Summary****Speakers**

*George Blakemore, a concerned citizen, voiced concerns and addressed the Board (Re: Procurement Item #21 and Stormwater Management Item #44)*

**Summary of Requests**

*Kevin Fitzpatrick*

*Mariyana T. Spyropoulos requested we inquire if other government agencies can assist with demolition and hauling services at little or no cost (Re: Procurement Item #23)*

*Debra Shore requested a report consisting of comments from the draft criteria and requested a study session be scheduled after the report has been concluded (Re: Public Health and Welfare Item #39)*

*Cynthia M. Santos requested we contact the Chicago Park District regarding the aquatic project along the North Branch of the Chicago River (Re: Stormwater Management Item #43)*

**Study Session**

*None*

**Announcements**

*None*

**Board Letter Submission Dates**

The next regular board meeting is scheduled for May 19, 2011, please prepare and submit Board items before the following absolute cutoff dates.

Date agenda items are due to the Director of Procurement and Materials Management for signature and preparation: May 9, 2011

Date Board letters are due to the Executive Director: 1:00 p.m., May 12, 2011

**Adjournment**

A motion was made that when the Board adjourns it adjourns to meet on Thursday, May 19, 2011, at 10:00 a.m. and that today's meeting be adjourned. The motion carried by the following roll call vote: /s/ Jacqueline Torres, Clerk

**Aye:** 8 - Frank Avila, Patricia Horton, Barbara J. McGowan, Kathleen Therese Meany, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

**Absent:** 1 - Michael A. Alvarez

**APPROVAL:**

In accordance with the provisions of 70ILCS 2605/4, each of the foregoing agenda items duly adopted by the Board of Commissioners of the Metropolitan Water Reclamation District of Greater Chicago this May 5, 2011, are hereby approved.

**APPROVED:**

/s/ Terrence J. O'Brien

President Board of Commissioners of the  
Metropolitan Water Reclamation District of Greater Chicago

May 5, 2011